



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

EMERGENCY RESPONSE BRANCH
9311 GROH ROAD, ROOM 216
GROSSE ILE, MI 48138-1697

EPA Region 5 Records Ctr.



247474

FEB 06 1995

REPLY TO ATTENTION OF.

MEMORANDUM

SUBJECT: ACTION MEMORANDUM - Request for an Exemption from the 12-month Limit and Change of Project Scope at the Jackson Drop Forge Site, Jackson, Jackson County, Michigan (Site ID #1U)

FROM: Jason El-Zein, On-Scene Coordinator *Jason El-Zein*
Emergency and Enforcement Response Branch - Section 1

TO: William E. Muno, Director
Waste Management Division

THRU: Jodi Traub, Associate Division Director
Office of Superfund *Jodi Traub*

I. PURPOSE

The purpose of this memorandum is to obtain your approval for a change in the scope of response and an exemption from the 12-month statutory time limit for the Jackson Drop Forge site in Jackson, Jackson County, Michigan. The signed Action Memorandum, dated December 2, 1993, lists the proposed actions as establishing site security; preventing off-site migration of hazardous wastes/substances to surface water; identifying and characterizing hazardous substances/wastes in drums, small containers, vats, tanks, and surface soils; arranging for transportation and proper off-site disposal of all hazardous substances/materials; and performing an extent-of-contamination study. The proposed change in the removal action is needed to address an estimated 2,000 drums of subsurface industrial waste remaining in a mounded area at the site after the completion of surface drum and waste removals by Potentially Responsible Parties (PRPs) pursuant to two administrative consent orders.

The Jackson Drop Forge site is not on the National Priorities List (NPL). This is a time-critical removal action.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID# MID 000 005 6457

Please refer to the "site conditions and background" section of the attached action memorandum of December 2, 1993.

The mounded area, approximately 160 feet from north to south, 250 feet from east to west, and 20 feet in height, is located directly to the north of the Tappenden's residence and the south perimeter of the site fence. As the PRPs removed drums and containers from the edges of the mound, the loose soil, fill, and garbage covering the mound proceeded to fall and expose underlying drums and containers. Approximately twenty 55-gallon rusted steel drums exposed on the southwest edge of the mound appear to have been staged, before burial, in an upright position and in contact with adjacent drums. Other drums and containers visible on the north, east, and west sides of the mound, appear to have been dumped and are lying in numerous positions. The majority of the containers are 55-gallon steel drums that are either rusted, crushed, or broken apart. At least some of the drums have holes and are leaking their contents (refer to the attached photographs of leaking and exposed drums). Waste and discolored soil have been exposed on the west side of the mound. The drums, containers, and debris in the mound appear to be covered by loose soil, fill, and leaf litter. Based on the dimensions of the mound and the position of the drums at the edges, the mound may contain 2,000 drums, and perhaps more.

Since the start of the PRPs removal actions on November 18, 1994, and August 15, 1994, the following removal objectives have been completed at the site:

1. Established site security;
2. Developed and implemented a site health and safety plan;
3. Developed and implemented an air monitoring program;
4. Removed, characterized, transported, and disposed of all abandoned drums and containers and associated contents and solid contamination which were situated on the site's surface;
5. Began a site investigation plan for the purposes of characterizing surface and subsurface soils, sediments, surface water, and groundwater.

III. THREAT TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT AND STATUTORY AND REGULATORY AUTHORITIES

Conditions at the Jackson Drop Forge site continue to present a threat to public health or welfare or the environment and meet the criteria for the removal action as stated in the National Contingency Plan Section 300.415(b)(2) as documented in the December 2, 1993, Action Memorandum.

Drummed material, excavated soils, and uncontainerized material that were sampled, analyzed, and disposed of during the PRPs

removal actions contained elevated levels of PCBs, lead, and benzene. Many of the exposed drums and waste on and in this mound are open and have released their contents into the flood plain. Precipitation, water level fluctuations, and freeze/thaw conditions of the winter will cause further degradation of the drums and containers integrity and result in additional releases of contaminants to the water and the flood plain. The removal of these drums and containers and their contents will reduce any potential threat of release to the Grand River. Additionally, these containers are located just outside the backyard of a residential house in which two small children reside. This family and any other human and animal trespassers could potentially be exposed to hazardous substances via direct contact and/or fire or explosion.

IV. ENDANGERMENT DETERMINATION

Given the site conditions, the nature of hazardous substances on site, and the potential exposure pathways to nearby populations described in Sections II and III of the December 2, 1993, Action Memorandum, an actual or threatened release of hazardous substances from this site, if not addressed by implementing the response actions selected in this memorandum, may present an imminent and substantial endangerment to public health or welfare or the environment.

V. EMERGENCY EXEMPTION FOR STATUTORY LIMITS

Section 104(c)(1) of CERCLA, as amended by SARA, limits Federal emergency response to 12 months unless three criteria are met. The manner in which the Jackson Drop Forge site meets the criteria for a waiver of the 12-month limitation is as follows:

1. There is an immediate risk to public health or welfare or the environment;

Analysis of wastes sampled during the PRPs' removal actions at the site revealed elevated levels of PCBs, lead, and benzene. Areas where drums, containers, and soils have been removed are now cavities in which seasonal precipitation and runoff collect. Flood events and periods during which the Grand River's water level is elevated could cause erosion and increase the risk of release of hazardous substances to the water. The Jackson Drop Forge site is home to a multitude of wildlife and presents a very sensitive ecosystem. The removal of these drums, containers, and associated contaminated soils will remove any potential threat of contamination to the Grand River, the flood plain, and the surrounding wetland areas. Any release of hazardous substances may result in the threat of exposure to nearby residents.

2. Continued response actions are immediately required to prevent, limit, or mitigate an emergency.

Continuation of the removal action either by the PRPs or the United States Environmental Protection Agency (U.S. EPA) will reduce the threat of release of hazardous materials to a very sensitive environment and lessens the threat of exposure to nearby residents.

The spread of contamination from water to downstream areas will continue to be present if the removal action is delayed or denied. Additional resources may be needed to address off-site contamination.

3. Assistance will not otherwise be provided on a timely basis.

The State of Michigan has no funds to cleanup the site. The site's PRPs have not expressed a willingness to undertake the required removal activities described above. U.S. EPA will attempt to solicit their commitment to perform the required removal activities. Please see the attached Confidential Enforcement Addendum for additional discussion of PRP involvement. If the PRPs refuse to participate, a fund-lead removal action will be necessary.

VI. PROPOSED ACTIONS AND ESTIMATED COSTS

The purpose of this removal action is to continue the mitigation of the imminent threat to human health and the environment posed by the current site conditions as described above. In order to accomplish this, the following removal activities are proposed:

1. Remove, sample, and characterize all abandoned drums, containers, and associated contents and solid contamination which are situated in the mound area, and properly dispose of hazardous wastes at RCRA/CERCLA-approved facilities in accordance with the U.S. EPA off-site rule.
2. Backfill the excavated area and properly restore the site.

The OSC has begun planning for the provision of post-removal site control, consistent with the provisions of Section 300.415(k) of the NCP. The nature of this removal, elimination of all surface threats, is, however, expected to minimize the need for post-removal site control. The OSC has met with the Michigan Department of Natural Resources (MDNR) staff on a number of occasions to discuss this change in the scope of work. Mr. Peter Masson, MDNR (Jackson, MI), indicated that any actions in this area would not be inconsistent with any potential future State remedial activities at the site.

All disposal conducted at the site will be in compliance with the U.S. EPA off-site rule (58 F.R. 49200).

Please refer to Section V of the December 2, 1993, Action Memorandum for discussion of site costs. The total site costs will remain the same as the previously approved project ceiling.

The response actions described in this memorandum directly address actual or threatened releases of hazardous substances, pollutants, or contaminants at the site which may pose an imminent and substantial endangerment to public health and safety, and to the environment. These response actions do not impose a burden on affected property disproportionate to the extent to which that property contributes to the conditions being addressed.

Please refer to Section V of the December 2, 1993, Action Memorandum for discussion of Applicable or Relevant and Appropriate Requirements (ARARs).

VII. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Refer to the attached previous Action Memorandum dated December 2, 1993.

VIII. OUTSTANDING POLICY ISSUES

None

IX. ENFORCEMENT

For administrative purposes, information concerning the enforcement strategy for this site is contained in an Enforcement Confidential Addendum (see attached).

X. RECOMMENDATIONS

This decision document represents the selected removal action for the Jackson Drop Forge site in Jackson, Jackson County, Michigan, developed in accordance with CERCLA, as amended by SARA, and is not inconsistent with the NCP. This decision is based on the Administrative Record for the site. Conditions at the site meet the NCP Section 300.415(b)(2) criteria for the removal action and I recommend your approval of an exemption from the 12-month limitation and change of project scope. The costs for the removal action will remain the same as the previously approved total project ceiling. You may indicate your decision by signing below.

APPROVE: 

Director, Waste Management Division

DATE: 2/6/95

DISAPPROVE: _____

Director, Waste Management Division

DATE: _____

Attachment

1. Administrative Record Index
2. Site Photographs
3. December 2, 1993, Action Memorandum

cc: T. Johnson/E. Watkins, U.S. EPA, 5202-G
D. Henne, U.S. Dept. of Interior
A. Howard, MDNR

bcc: A. Baumann, HSRL-5J
R. Powers, HSE1-G
J. Cisneros, HSE-5J
L. Fabinski, ATSDR, HSRL-5J
O. Warnsley, CRS, HSRLT-5J
T. Lesser, P-19J
D. Crume, MF-10J
A. Lily, HSE-5J
EERB Delivery Order File (M.E. Gustafson)
EERB Site File (Earl Brenneman, WMD Records Ctr, 7th Flr)
R. Dumelle, MC-10J
J. El-Zein, OSC, HSE1-G
M. Anastasio, CS-29A
L. Beasley, HSE-5J

ENFORCEMENT ADDENDUM

Redacted - not relevant to the selection of the removal action.

U.S. ENVIRONMENTAL PROTECTION AGENCY
REMOVAL ACTIONADMINISTRATIVE RECORD
FOR
JACKSON DROP FORGE
JACKSON, MICHIGAN

November 19, 1993

<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
07/15/93	Masson, P., MDNR	Site File	Analytical Results	26 (31)
10/25/93	Klepper, G., MDNR	El-Zein, J., U.S. EPA	Letter Requesting U.S. EPA Assistance	1
10/28/93	El-Zein, J., U.S. EPA	Masson, P., MDNR	Letter Requesting State ARARs	1
11/01/93	Karl, R., U.S. EPA	Recipients	General Notice of Potential Liability	4
12/11/93	Lancaster, E., E & E	Pfundheller, J., U. S. EPA	Site Assessment	149
12/02/93	El-Zein, J., U.S. EPA	Muno, W., U.S. EPA	Action Memorandum	12

U.S. ENVIRONMENTAL PROTECTION AGENCY
REMOVAL ACTION

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ADMINISTRATIVE RECORD
FOR
JACKSON DROP FORGE
JACKSON, MICHIGAN

UPDATE #1

January 30, 1995

<u>DATES</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
01/21/94	Muno, W., U. S. EPA	Jackson/ Innova Corp. and Mercer Forge Corp.	Administrative Order by Consent	25
05/06/94	Muno, W., U.S. EPA	BASF Corp. and Martin Marietta Technologies, Inc.	Administrative Order by Consent	30
09/00/94	Klepper, G., MDNR	El-Zein, J., U.S. EPA	Site Investigation Plan Appendices A & D	150
11/29/94	Klepper, G., MDNR	El-Zein, J., U.S. EPA	Letter requesting U.S. EPA Assistance	1
00/00/00	El-Zein, U.S. EPA	Muno, W., U.S. EPA	Action Memorandum (Pending)	

ATTACHMENT 2

**SITE PHOTOGRAPHS
JACKSON DROP FORGE
JACKSON, JACKSON COUNTY, MICHIGAN**

ATTACHMENT 3

**DECEMBER 2, 1993, ACTION MEMORANDUM
JACKSON DROP FORGE
JACKSON, JACKSON COUNTY, MICHIGAN**



Site: JACKSON DROP FORGE
Photo No: H
Direction: N/A
Camera: OLYMPUS INFINITY
Photographer: SMITH

Date: NOVEMBER 16, 1994
Subject: A LEAKING AND RUSTED
DRUM. AIR MONITORING WITH AN
OVA INDICATED READINGS OF 10-25
METERED UNITS.



Site: JACKSON DROP FORGE
 Photo No: C
 Direction: NORTHEAST
 Camera: OLYMPUS INFINITY
 Photographer: SMITH

Date: NOVEMBER 16, 1994
 Subject: VIEW OF EXPOSED DRUMS
 NORTH OF THE TAPPENDEN HOME.



Site: JACKSON DROP FORGE
 Photo No: D
 Direction: N/A
 Camera: OLYMPUS INFINITY
 Photographer: SMITH

Date: NOVEMBER 16, 1994
 Subject: VIEW OF
 UNCONTAINERIZED WASTE. PRP#2
 EXCAVATED THIS WASTE DURING
 THEIR PORTION OF THE REMOVAL.



Site: JACKSON DROP FORGE
 Photo No: 453 (R23f3)
 Direction: EAST
 Camera: OLYMPUS
 Photographer: SMITH

Date: OCTOBER 21, 1994
 Subject: ADDITIONAL VIEW OF
 DRUMS BELOW GROUND AT THE
 RIVERSIDE PARCELS.



Site: JACKSON DROP FORGE
 Photo No: 454 (R23f4)
 Direction: EAST
 Camera: OLYMPUS
 Photographer: SMITH

Date: OCTOBER 21, 1994
 Subject: DRUMS COVERED BY
 VISQUEEN.



Site: JACKSON DROP FORGE
 Photo No: 455 (R23f5)
 Direction: N/A
 Camera: OLYMPUS
 Photographer: SMITH

Date: OCTOBER 21, 1994
 Subject: CLOSE UP OF DRUMS,
 EASTERN VIEW, STICKING OUT OF
 THE SOIL.



Site: JACKSON DROP FORGE
 Photo No: 456 (R23f6)
 Direction: N/A
 Camera: OLYMPUS
 Photographer: SMITH

Date: OCTOBER 21, 1994
 Subject: CLOSE UP OF DRUMS
 STICKING OUT OF THE SOIL.



Site: JACKSON DROP FORGE
 Photo No: 451
 Direction: EAST
 Camera: OLYMPUS
 Photographer: SMITH

Date: OCTOBER 21, 1994
 Subject: EXPOSED DRUMS ON THE
 RIVERSIDE PARCEL, NOT
 CONSIDERED DURING THE SURFACE
 REMOVAL.



Site: JACKSON DROP FORGE
 Photo No: 452 (R23f2)
 Direction: EAST
 Camera: OLYMPUS
 Photographer: SMITH

Date: OCTOBER 21, 1994
 Subject: VIEW OF DRUMS LOCATED
 BELOW GROUND NORTH OF THE
 TAPPENDEN PROPERTY (COVERED BY
 PRP'S CONTRACTOR).



Site: JACKSON DROP FORGE
 Photo No: E
 Direction: SOUTH
 Camera: OLYMPUS INFINITY
 Photographer: SMITH

Date: NOVEMBER 16, 1994
 Subject: VIEW OF THE MOUND
 ALONG THE SOUTH SIDE OF THE PRP
 ACCESS ROAD, NOTE DRUMS,
 CONTAINERS, AND LOOSE WASTE.



Site: JACKSON DROP FORGE
 Photo No: F
 Direction: SOUTH
 Camera: OLYMPUS INFINITY
 Photographer: SMITH

Date: NOVEMBER 16, 1994
 Subject: ADDITIONAL VIEW OF THE
 MOUND EMBANKMENT, NOTE GARBAGE,
 FILL, DRUMS, AND OTHER
 WASTE MATERIALS.



Site: JACKSON DROP FORGE
 Photo No: A
 Direction: N/A
 Camera: OLYMPUS INFINITY
 Photographer: SMITH

Date: NOVEMBER 16, 1994
 Subject: VIEW OF ONE DEPRESSION
 ON THE SURFACE OF THE MOUND DUE
 TO EROSION OF LOOSE SOIL AND
 FILL.



Site: JACKSON DROP FORGE
 Photo No: B
 Direction: WEST
 Camera: OLYMPUS INFINITY

Date: NOVEMBER 16, 1994
 Subject: VIEW OF A 55-GALLON
 DRUM CONTAINING WHITE SEMI-
 SOLID MATERIAL LOCATED ON THE
 RIGHT SIDE OF THE MOUND